

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO. 04-10005-WGY
)
 CHERYL DICICCO)
)

JOINT INITIAL STATUS REPORT

The United States of America and the defendant, Cheryl Dickey, by their respective undersigned counsel, submit this joint status report pursuant to Local Rule 116.5(A).

1. Local Rule 116.3 Timing Requirements

At this time the parties do not seek relief from the timing requirements imposed by L.R. 116.3.

2. Expert Discovery

The government anticipates that, unless there is a stipulation regarding the controlled substances involved in this case, it will offer expert testimony regarding the drugs at issue. The defendant does not presently request expert discovery, but reserve its right to seek such discovery pending disclosure of trial witnesses by the government.

3. Additional Discovery

All Rule 16 and automatic discovery materials have been provided or made available to defendant's counsel.

4. Motion Date

The parties jointly request that all motions be filed on or before April 23, 2004, and any responses be served by May 7,

2004, and are requesting that the time between the Initial Status Conference and the date of the Final Status Conference be excluded from all Speedy Trial Act calculations.

5. Speedy Trial Act

The parties have conferred on the periods excludable from all Speedy Trial Act calculations and believe that the following periods are excludable:

| | |
|------------------------------|---|
| 1/15/04-1/15/04 | Arraignment |
| 1/15/04-2/12/04 | Excludable delay pursuant to L.R. 112.2(A)(2) and 18 U.S.C. § 3161(h)(1)(F) |
| 3/09/04-date of final status | Excludable delay pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and 8(b) |

As of the Final Status Conference, 25 days will have been counted and 45 days will remain under the Speedy Trial Act.

6. Anticipated Trial

The government anticipates that a trial of this matter would last approximately four days.


7. Status Conference

The parties request that a Final Status Conference be scheduled for April 23, 2004, or as soon thereafter as is convenient for the Court.


Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:


PETER K. LEVITT
Assistant U.S. Attorney
One Courthouse Way
Boston, MA
617-748-3355

COUNSEL FOR CHERYL DICICCO


DAVID T. FULMER
576 Main Street
Winchester, MA 01890
781-721-2111

DATED: March 8, 2004
8